

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2304 – SB 2475

March 6, 2018

**SUMMARY OF ORIGINAL BILL:** Deletes the termination date on the recovery of attorney fees and other costs against an employer in a workers' compensation action that wrongfully denies a claim by filing a timely notice of denial and then the workers' compensation judge subsequently makes a finding that such benefits were owed at an expedited hearing or compensation hearing.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

IMPACT TO COMMERCE OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (014188):** Deletes all language after the enacting clause. Clarifies the Court of Workers' Compensation Claims may award reasonable attorneys' fees and reasonable costs, including but not limited to, reasonable and necessary court reporter expenses and expert witness fees, for depositions and trials. Extends the date pursuant to Tenn. Code Ann. § 50-6-226(d)(2), relative to injuries incurred, for two years to June 30, 2020.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Based on information provided by the Bureau of Workers' Compensation (BWC), clarifying that the Court of Workers' Compensation Claims may award reasonable attorneys' fees and reasonable costs, including but not limited to, reasonable and necessary court reporter expenses and expert witness fees, for depositions and trials, and extending the date for which injuries occur will not have a significant fiscal impact on BWC or its operations.
- Any fiscal impact to state or local government is estimated to be not significant.

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## **IMPACT TO COMMERCE WITH PROPOSED AMENDMENT:**

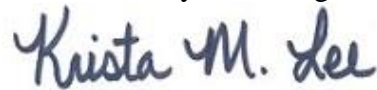
**Unchanged from the original fiscal note.**

Assumption for the bill as amended:

- Clarifying that the Court of Workers' Compensation Claims may award reasonable attorneys' fees and reasonable costs, including but not limited to, reasonable and necessary court reporter expenses and expert witness fees, for depositions and trials, and extending the date for which injuries occur will not significantly impact jobs or commerce in Tennessee.

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/rbp